

SENATOR BEUTLER: Senator, I would think that the statement of intent on the part of the Legislature is that both sides have 30 days notice of what's intended, and that if...if a judge decided that, notwithstanding lack of notice, a defendant should be allowed to present that kind of evidence, then they ought to continue the trial date for the necessary number of days in order to give the prosecution their 30 days notice.

SENATOR HOHENSTEIN: Okay.

SPEAKER BAACK: One minute.

SENATOR HOHENSTEIN: With...and with that explanation, I agree with you, Senator Beutler. With that explanation, I, frankly, don't have any objection to the Beutler amendment. I think it does probably give a sort of a safety valve in matter of fairness and I think, frankly, a court would probably do it anyway. And in these sorts of cases, obviously, you want to make sure you have all the evidence available to whomever is going to sit in judgment and I think that that probably clarifies it and, given Senator Hall's statement regarding this, maybe it is more clarification than anything else, so I would not object and would support the Beutler amendment.

SPEAKER BAACK: Thank you, Senator Hohenstein. Any other discussion of the Beutler amendment? Seeing none, Senator Beutler, would you like to close? He waives closing. We will now vote on the Beutler amendment to the committee amendments. All those in favor vote aye, opposed vote no. Record, Mr. Clerk.

CLERK: 23 ayes, 0 nays, Mr. President, on adoption of the amendment to the committee amendments.

SPEAKER BAACK: The Beutler amendment is adopted to the committee amendments. We are now on the committee amendments. Is there any discussion of the committee amendments? Seeing none, Senator Abboud, would you like to close? He waives closing. We will now vote on the committee amendments to LB 430. All those in favor vote aye, opposed vote no. Record, Mr. Clerk.

CLERK: 30 ayes, 0 nays, Mr. President, on adoption of the committee amendments.